

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )**

**Applicant, )**

**v. )**

**DOLGENCORP, )**

**Respondent. )**

**CIVIL ACTION NO.  
1:07-cv-06672**

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**DECLARATION OF TAMMY HAMMOND-LOTH**

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I, Tammy Hammond-Loth, declare and state as follows:

1. I have personal knowledge of and am competent to testify as to the matters set forth herein.

2. I am the currently employed as a Compliance Loss Prevention (formerly referred to as "Asset Protection") Coordinator in Dollar General's Loss Prevention Department located at 100 Mission Ridge, Goodlettsville, Tennessee 37072. I have been employed in this capacity since December 2005. My responsibilities include the administration and coordination of Dollar General's criminal background check policy. In connection with my responsibilities, I am one of the persons authorized to have access to documents relating to the criminal background checks conducted on those persons to whom a contingent offer of employment has been made by the Company.

3. I am familiar with documents regarding the criminal background check conducted on Regina Fields-Herring following her contingent offer of employment.

These documents were made at or near the time of Fields-Herring's conditional hiring by a person with knowledge of these events and were kept in the course of a regularly conducted business activity. It is the regular practice of Dollar General to make and/or compile these documents and data.

4. The information provided in this Declaration supplements that information previously provided by me to the Court in an Affidavit dated April 3, 2006, which is incorporated herein and attached hereto as Exhibit C.

5. Under Dollar General's background check policy, criminal convictions are not an absolute bar to continued employment at Dollar General. Depending on the nature of the offense and the time that has elapsed since its disposition, some convictions are no bar at all to continued employment. Some conditions preclude the individual from working for a specified period of time, and some felonies are permanent bars to employment at Dollar General.

6. A true and correct copy of Dollar General's conviction matrix is attached hereto as Exhibit A.

7. Dollar General ordered a criminal background check on Fields-Herring in connection with her application for a temporary store clerk position for the set-up of Store # 6729 located at 2205 North Lewis Avenue, Waukegan, Illinois. Fields-Herring had received an offer of employment for this position contingent on, among other things, her successful completion of the criminal background check. Fields-Herring's background check revealed that, on November 10, 1998, she was found guilty of felony possession of a controlled substance. Moreover, that check also revealed that on April 4, 2000, Field-Herring's probation was revoked, and she was sentenced to eighteen months' confinement with the state. A true and correct copy of the criminal background check report received by Dollar General is attached hereto as Exhibit B.

8. Based on either of these felony convictions, Fields-Herring was ineligible for employment at Dollar General, and her contingent offer was revoked.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct. Executed this \_\_\_\_ day of January, 2008.

  
Tammy Hammond-Loth

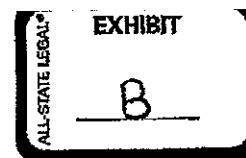
**CONFIDENTIAL**



**CONFIDENTIAL**

PERSONNEL BACKGROUND REPORT FOR ALEXANDER, ALEXANDER, SSN 517-00-1741

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Applicant,

v.

DOLGENCORP,

Respondent.

No. 06 C 1398

Judge Marovich

Magistrate Judge Schenkier

**AFFIDAVIT OF TAMMY HAMMOND-LOTH**

I, Tammy Hammond-Loth, first being duly sworn, depose and state that:

1. I am currently an Asset Protection Coordinator in Dollar General's Asset Protection Department located at 100 Mission Ridge, Goodlettsville, Tennessee 37072. My responsibilities include, but are not limited to, the administration and coordination of Dollar General's criminal background testing program for new hires. I have personal knowledge of the facts set forth in this Affidavit and am otherwise competent to testify regarding those facts.

2. Dollar General conducts criminal background checks only on those applicants to whom conditional offers of employment have been made. If the background check places the applicant outside Dollar General's hiring criteria, the offer of employment is revoked. Dollar General uses a third-party vendor, General Information Systems ("GIS") to conduct background checks. GIS reports the results of background checks to Dollar General through the cash register system located in each store. GIS reports only a "pass" or "fail" and does not provide the basis for the determination. Physical copies of the background checks are maintained in a secure location at Dollar General's Tennessee home office, where access is limited to a select number of employees with a legitimate business reason for access to such information.

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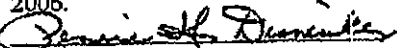
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3. Dollar General ordered a criminal background check from GIS in connection with Regina Fields-Herring's employment application for a store clerk position involving the set-up of Store #6279 located at 2205 North Lewis Avenue, Waukegan, Illinois. Fields-Herring had received an offer of employment contingent on the successful processing of her application, which included a criminal background check. Fields-Herring's criminal background check returned convictions for felony possession of a controlled substance. Because Fields-Herring fell outside Dollar General's hiring parameters, the decision was made to revoke her contingent offer of employment.

Further Affiant sayeth not.

  
Taryn Hammond-Loth

Subscribed and Sworn to before  
me this 3<sup>rd</sup> day of April  
2006.

  
Notary Public

My Commission Expires JULY 25, 2009

